

REMARKS

Claims 25-48 remain in this application. Claims 1-24 have been canceled, without prejudice. By these amendments, no new matter has been added.

The Examiner objected to Figs. 8a and 9 as containing reference numerals not present in the specification. The specification has been amended to include a reference to numeral 801. Proposed drawing corrections to Figs. 8(a) and 9 are also enclosed which changes shown in red ink, wherein numerals 834 and 832 are deleted from Fig. 8(a), and numeral 910 is corrected to 910b in Fig. 9. The Applicants submit that these amendments are fully responsive to the objections, which should therefore be withdrawn.

The Examiner rejected Claims 1-5, 11-14, and 20-24 under 35 U.S.C. § 103(a) in view of Chen and Story; Claims 6-7 and 15-16 under 35 U.S.C. § 103(a) in view of Chen, Story, and Ellis; Claims 8-9 and 17-18, under 35 U.S.C. § 103(a) in view of Chen, Story and the PCI Specification; and Claims 10 and 19 under 35 U.S.C. § 103(a) in view of Chen, Story and Shindou. These rejections are respectfully traversed. The rejections are moot with respect to cancelled Claims 1-24, and the cited references pose no bar to patentability of Claims 25-48, as explained below.

All of the rejections rely on Chen as the primary reference, but Chen is fundamentally deficient in ways that are not made up for by the secondary references. Chen discloses a hot-swappable system with a fully redundant back-up main controller card. See, e.g., col. 4, lines 46-49. When the primary controller card is removed, "the second processor card 120 takes over operations from the first processor card." Col. 4, lines 63-64. It is clear, therefore, that the redundant processing cards disclosed by Chen are functionally identical cards, either one of which may be used to maintain normal operation of the computer system, when the other is removed.

In contrast, the present invention concerns a hot-swap controller that can be configured independently of a system processor card, and for which there is no

redundant back-up controller. The standby circuitry merely maintains the hot-swap state of the system while the hot-swap controller is out of operation, but does not itself monitor the status of the system plug-in cards. Accordingly, the system is not "hot swappable" when the hot-swap controller is not operational, but can continue operation without hot-swapping of cards (except for the card containing the hot-swap controller) until operation of the hot-swap controller is restored. In other words, the invention permits a "hot-swap" card to itself be hot-swappable, without requiring a redundant hot-swap controller. As the specification states on page 13, the standby circuitry (i.e., the backup hot-swap controller) is advantageously a simpler circuit than the primary hot swap controller. Lacking a core controller 810, the standby circuitry lacks certain functions of the hot-swap controller, such as the function of monitoring the current status of the plug-in cards. These differences are plainly disclosed by the specification.

Claims 25-48 are intended to more particularly point out and distinctly claim the invention, while certain limitations now deemed unnecessary or lacking in clarity have been removed or modified. Claims 25-48 include three independent Claims 25, 36, and 43, which correspond roughly to cancelled independent Claims 1, 14, and 24. However, Claims 25, 36, and 43 now include limitations which more particularly point out differences between the primary hot-swap controller and the standby circuitry of the present invention, which differences are generally described above. Chen, and all the other references of record, fail to disclose or to suggest anything other than a fully redundant back-up controller, and therefore pose no bar to patentability of Claims 25, 36 and 43. The remaining claims are allowable as depending from allowable base claims.

In view of the foregoing, the Applicants respectfully submit that Claims 25-48 are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested, and a timely Notice of Allowability is solicited.


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To the extent it would be helpful to placing this application in condition for allowance, the Applicants encourage the Examiner to contact the undersigned counsel and conduct a telephonic interview.

While the Applicants believe that no fees are due in connection with the filing of this paper, the Commissioner is authorized to charge any shortage in the fees, including extension of time fees, to Deposit Account No. 50-0639.

Respectfully submitted,

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Enclosure: Proposed Corrected Drawings (2 sheets)